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09/680,697	10/06/2000	Walter W. Collins	KSW 312RI	1037

7590

06/03/2003

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EXAMINER

DEXTER, CLARK F

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 06/03/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

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## MISCELLANEOUS ACTION

### *Response to Amendment*

1. The reply filed on February 20, 2003 is not fully responsive to the prior Office Action because the amendment is informal and thus was not entered.

First, it is noted that the language of paragraph 1 of the Office action referring to the “new amendment practice under 37 CFR 1.121” was inadvertently included. However, it is clear that 37 CFR 1.121 is not directed to amendments in reissue applications and thus this language should be ignored.

Second, the amendment is informal because claims 12-50 are improperly amended. The claims are “new to the patent” and so every word must be underlined, with no word(s) bracketed. It is noted that versions of the claims showing the changes from the previous version are often included with an amendment in reissue applications (e.g., in the remarks section or in an appendix). However, the amendment must include claims that comply with reissue practice. Neither the marked-up version nor the clean version submitted with the amendment complies with the rules of reissue practice. It is further noted that the marked-up version of the specification would have complied but amendments are not entered-in-part. For further information, applicant should refer to MPEP 1453 and 37 CFR 1.173.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer,

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within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404. The examiner's typical work schedule is Tuesday through Friday, and he can be reached during normal business hours on these days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Allan Shoap, can be reached at (703)308-1082.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3590; informal/draft papers - (703)305-9835.



**Clark F. Dexter**  
**Primary Examiner**  
**Art Unit 3724**

cfid  
May 6, 2003